

DMB:JPL/AK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

M-10-1239

- - - - - X
UNITED STATES OF AMERICA

FILED UNDER SEAL

- against -
ABDEL HAMEED SHEHADEH,
also known as "Abul-Qasim,"
"Abul-Qasim Ibn Abu Muhammad,"
"Sunnah101" and "Abu Baheera,"

**COMPLAINT & AFFIDAVIT IN
SUPPORT OF ARREST WARRANT**

(T. 18, U.S.C.; S 1001(a)(2))

Defendant.

- - - - - X
EASTERN DISTRICT OF NEW YORK, SS:

FARBOD AZAD, being duly sworn, deposes and says that he is a Special Agent with the Federal Bureau of Investigation ("FBI"), duly appointed according to law and acting as such.

Upon information and belief, on or about and between June 13, 2008 and February 10, 2009, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant ABDEL HAMEED SHEHADEH, also known as "Abul-Qasim," "Abul-Qasim Ibn Abu Muhammad," "Sunnah101" and "Abu Baheera," did knowingly and willfully make materially false, fictitious and fraudulent statements and representations, in a matter involving international and domestic terrorism, within the jurisdiction of the executive branch of the Government of the United States.

(Title 18, United States Code, Section 1001(a)(2))

The source of your deponent's information and the grounds for his belief are as follows:^{1/}

1. I have been a Special Agent with the Federal Bureau of Investigation ("FBI") assigned to the New York Joint Terrorism Task Force ("JTTF"), for approximately three years. As a Special Agent, I have investigated numerous matters during the course of which I have conducted physical surveillance, interviewed witnesses, executed court-authorized search warrants and used other investigative techniques to secure relevant information.

2. As a result of my personal participation in this investigation and analysis of reports submitted by the FBI and other federal and local law enforcement personnel, including the New York City Police Department ("NYPD"), I am familiar with all aspects of this investigation. All of the statements set forth below are provided only in part and in sum and substance.

3. At all times relevant to this complaint, the FBI and other federal and local law enforcement personnel, including members of the NYPD, have been investigating ABDEL HAMEED SHEHADEH and several other individuals in connection with a plot to travel overseas and wage violent jihad against United States and coalition military forces.

^{1/} Because the purpose of this affidavit is merely to establish probable cause, I have not set forth all of the facts and circumstances of which I am aware.

4. SHEHADEH is a United States citizen who was born and raised in New York. Business records obtained by the FBI from the online travel agency Expedia Incorporated show that on or about June 11, 2008, SHEHADEH purchased a one-way airline ticket to travel aboard a Pakistan International Airlines flight on June 13, 2008, from John F. Kennedy International Airport ("JFK Airport") in Queens, New York, to Islamabad, Pakistan. The ticket was issued in the name "Abdel Hameed Shehadeh" and was purchased with a Mastercard in the name "Abdel Shehadeh." The address provided in connection with the ticket purchase was 311 Seguine Avenue, Staten Island, New York.

5. On or about June 13, 2008, SHEHADEH arrived at JFK Airport to board his flight to Pakistan. Federal law enforcement agents and an NYPD detective assigned to the JTTF interviewed SHEHADEH before he boarded the flight. During this interview, SHEHADEH stated, in sum and substance and in part, that he was traveling to Pakistan to attend a madrasa.²⁷ SHEHADEH stated that he had not decided which madrasa to attend and that he intended to evaluate the different madrasas when he arrived in Pakistan. SHEHADEH also confirmed that he had recently returned to the United States in April 2008 from a one-month trip to Israel. SHEHADEH stated that the purpose of the trip to Israel was to visit family he had there.

²⁷ A madrasa is an Islamic school.

6. A Customs and Border Protection agent conducted an outbound border search of SHEHADEH's checked baggage. SHEHADEH checked a hiking-style North Face brand backpack. The backpack contained, among other items, a North Face brand sleeping bag, two changes of clothes, three books and assorted toiletries. SHEHADEH was allowed to board the flight, however, upon arriving in Islamabad, Pakistani officials refused to admit SHEHADEH into Pakistan. SHEHADEH returned to the United States on or about June 15, 2008.

7. As part of my investigation and as described below, I learned that SHEHADEH was the creator and administrator of multiple web sites which advocated violent jihad against the West. These web sites included www.sunnah101.com, www.civiljihad.com and www.mymakkah.com.

8. On or about June 13, 2008, a member of the NYPD's Cyber Intelligence Unit ("CIU") visited one of SHEHADEH's web sites, www.sunnah101.com, and observed the site's home page. This page displayed a photograph of an individual believed to be SHEHADEH wearing a keffiyeh to obscure the lower half of his face. SHEHADEH identified himself by the alias "Abul-Qasim." The site contained a video of Osama Bin Laden, titled: "To the Peoples of the West." The site also contained a hyperlink to the web page www.anwar-alawlaki.com. Anwar al-Awlaki is an al-Qaeda leader in Yemen. At present, his website, www.anwar-alawlaki.com

alawlaki.com, advocates violent jihad against the United States and its allies.

9. On or about June 13, 2008, a member of the NYPD's CIU located an account created by SHEHADEH on the website www.YouTube.com under the name "sunnah101." This account displayed the same photograph as the www.sunnah101.com website described above. According to the web page, the account was created on May 6, 2008. SHEHADEH used this account to post video recordings, including a recording titled: "Benefits of Jihad in Our Times."

10. On or about June 23, 2008, a member of the NYPD's CIU visited www.sunnah101.com and observed that the web site's home page had changed. The site stated: "We Are Moving To www.CIVILJIHAD.com." Business records indicate that www.civiljihad.com was created by "Abdel Shehadeh" on June 23, 2008. There are two listed addresses for the account which I know to be associated with the defendant: 311 Seguine Avenue, Staten Island, New York 10309 and 450 Drumgoole Road West, Staten Island, New York 10312. The user name for the account was "abdulqasim" and the email address associated with the account was "mujahideen@civiljihad.com."^{3/}

^{3/} "Mujahideen" means "Muslim guerrilla warriors engaged in a jihad." See The American Heritage Dictionary of the English Language, Fourth Edition, 2000. Based on my training, experience and interviews of cooperating witnesses, I know that fighters for al-Qaeda consider and refer to themselves as mujahideen.

11. On or about June 23, 2008, a member of the NYPD's CIU visited www.civiljihad.com. The site contained links to news stories and video recordings, including a recording titled "Shaykh Abu Yahya al-Libi - Somalia - No Peace Without Islaam" (sic). I know from a cooperating witness ("CW #1"), among other sources, that Abu-Yahya al-Libi is a military commander for al-Qaeda located in the Federally Administered Tribal Areas ("FATA") of Pakistan.^{4/}

12. On or about June 24, 2008, a member of the NYPD's CIU visited www.mymakkah.com. The web site contained a link to contact "abdelhameed@mymakkah.com" for viewers to submit questions or comments. The site also contained multiple postings by "Abul-Qasim Ibn Abu Muhammad." The site contained a "jihad" section. The jihad section contained, among other things, a speech by al-Qaeda leader Ayman al-Zawahiri, an audio recording of Anwar al-Awlaki reciting a book on jihad entitled "Mashari al

^{4/} CW #1 was an al-Qaeda member who served under Abu Yahya al-Libi's command in the FATA. CW #1 has pleaded guilty, pursuant to a cooperation agreement with the government, to serious offenses that relate to CW #1's involvement with al-Qaeda, including conspiracy to murder Americans abroad, in violation of 18 U.S.C. § 2332(b), material support of al-Qaeda, in violation of 18 U.S.C. § 2339B, and receiving military-type training from al-Qaeda, in violation of 18 U.S.C. § 2339D. Information provided by CW #1 has proven reliable and accurate in the past. CW #1 faces a statutory sentencing range of up to life imprisonment and a sentencing guidelines range of life imprisonment. Pursuant to the cooperation agreement, CW #1 is subject to breach if he provides false information.

Ashwaq," and a montage of still images of jihadist fighters under the heading, "What is the least we can do?"

13. On or about June 24, 2008, a member of the NYPD's CIU visited the website www.civiljihad.com. The site displayed a graphic of the text "Civil Jihad" which appeared to be dripping in blood.

14. On or about June 25, 2008, a member of the NYPD's CIU visited the website www.revolutionmuslim.com, and observed that SHEHADEH, using the alias Abul-Qasim, posted a note introducing www.civiljihad.com to the "Revolution Muslim" online community.^{5/} SHEHADEH's note stated, in part:

It is time for the Muslims to start practicing our freedom of speech. We must stop being afraid, the sahaba had more to be afraid of. There was no freedom of speech or religion back then. But now in the year 2008 in the land of the enemy of mujahideen, muslims can speak up and practice Islam freely. Yet we're afraid! What is this? My brothers of revolution islam, I am with you as long as you keep struggling. Trust me there are many brothers and sisters in America that are ready to speak up. They just need a push.

15. On or about July 16, 2008, an FBI Special Agent and an NYPD Detective assigned to the JTTF interviewed SHEHADEH at his residence, 450 Drumgoole Road West, Staten Island, New York. SHEHADEH stated in sum and substance and in part, that he

^{5/} Revolution Muslim is a radical group based in New York that has expressed its agreement with the ideologies of al-Qaeda and other terrorist organizations.

had traveled to Pakistan in June 2008 for the purpose of visiting an Islamic University in Islamabad. He stated that he chose that particular school because it was the best one to study Islamic law. SHEHADEH stated that he also traveled to Pakistan to attend the engagement party of a friend in Lahore. SHEHADEH did not know the full name of his friend or have any contact information for him. SHEHADEH stated that he had expected his trip to Pakistan to last approximately one month.

16. On or about October 3, 2008, SHEHADEH attempted to join the United States Army at the Times Square recruiting station in Manhattan, New York. Shortly prior to that date, SHEHADEH spent time with an Army recruiter answering questions to determine his fitness to serve in the United States Armed Forces. During this questioning, SHEHADEH informed the Army recruiter that he had only traveled outside of the United States on one occasion, to Israel. SHEHADEH failed to disclose to the recruiter that he had traveled to Pakistan and been denied entry by the Pakistani government. To corroborate his travel history, SHEHADEH showed the recruiter an expired passport with an Israeli stamp. This passport did not contain SHEHADEH's Pakistani visa. SHEHADEH told the recruiter that he could not locate his current passport. SHEHADEH was later informed by the recruiter that he was denied entry in the military because he failed to disclose his full travel history.

17. On or about October 17, 2008, SHEHADEH purchased an airline ticket to travel the following day (October 18, 2008), aboard Royal Jordanian Airline flight 262 from Newark, New Jersey to Amman, Jordan. SHEHADEH arrived in Jordan on October 19, 2008, but was not allowed to enter the country by Jordanian authorities.

18. On or about October 20, 2008, an FBI special agent and a NYPD detective assigned to the JTTF interviewed SHEHADEH at the Detroit Metro Airport upon his arrival aboard Jordanian Airlines flight 267 from Amman, Jordan. At the outset of this interview, SHEHADEH was advised of his Miranda rights, which he waived. SHEHADEH stated, in sum and substance and in part, that he was motivated to join the Army because of the benefits, training and career opportunities it promised. SHEHADEH explained that he had a problem with his enlistment because he had not disclosed his trip to Pakistan. When the agent and detective examined SHEHADEH's passport, they observed and SHEHADEH confirmed, that he had ripped out the Pakistani visa for his June 13, 2008 travel.

19. During this same interview, SHEHADEH initially denied, and then later confirmed, that he was the owner and administrator of the web sites www.civiljihad.com and www.mymakkah.com. SHEHADEH stated that www.civiljihad.com was a web site designed to mirror and reformat the teachings of Anwar

al-Awlaki. SHEHADEH stated that he emailed Awlaki on several occasions about the web site, but never received a response. SHEHADEH admitted that he posted video recordings of al-Qaeda members Ayman al-Zawahiri and Adam Gadahn on www.mymakkah.com. SHEHADEH explained that in the past, he agreed and sympathized with al-Qaeda's violent jihad against the West.

20. On or about November 17, 2008, a member of the NYPD's CIU visited www.civiljihad.com and observed that the site had changed. The site displayed an image of a man holding a sign which read "JIHAD IS OUR WAY." The site contained hyperlinks to, among other things, on-line lectures and blogs from Anwar al-Awlaki, and a directory of listings for "Jihad magazines," news accounts of "Afghanistan and Iraq mujahideen operations," and a travel agency.

21. On or about February 10, 2009, SHEHADEH met in Staten Island, New York with an FBI Special Agent and a NYPD Detective assigned to the JTTF. SHEHADEH stated that he had observed law enforcement agents following him and he wanted to know why. The agent and detective explained that they did not believe SHEHADEH had been truthful in previous interviews. SHEHADEH reiterated that he had traveled to Pakistan to attend a madrasa for religious purposes. SHEHADEH expressly denied that he had traveled to Pakistan to receive military-type training or join a jihadist terrorist group. SHEHADEH further stated that he

had never told anyone that he intended to receive training, wage jihad or fight in Afghanistan.

22. As part of the investigation, law enforcement agents met with and interviewed multiple individuals associated with SHEHADEH including Witness #1 and Witness #2.^{6/}

23. Witness #1 met SHEHADEH in elementary school, but they did not become close friends at that time. In approximately Spring 2008, Witness #1 and SHEHADEH regularly attended Islamic lectures together in Brooklyn and Staten Island. It was during this time that they became close friends.

24. Witness #1 informed law enforcement that SHEHADEH believed it was the duty of Muslims in the United States to travel to "Muslim countries" at war, such as Palestine, Afghanistan and Somalia, to fight beside fellow Muslims against their enemies, including United States military forces. In Spring 2008, SHEHADEH told Witness #1 that he wanted to die as a martyr. On one occasion, SHEHADEH attempted to convince Witness #1 to travel to Somalia to fight jihad. SHEHADEH informed Witness #1 that there were "no more excuses" for avoiding jihad.

25. Witness #1 stated, in sum and substance and in part, that prior to traveling to Pakistan, SHAHADEH informed

^{6/} Among other evidence, observations by law enforcement made during surveillance of SHEHADEH and an analysis of telephone toll records corroborate that SHEHADEH had frequent contact with Witness #1 and Witness #2 during 2008.

Witness #1 that he was traveling to Pakistan to wage jihad.

SHEHADEH told Witness #1 that he intended to travel to an area in Pakistan controlled by the ethnic Pashtun tribes and find a jihadist group to join. Witness #1 further admitted that he drove SHEHADEH to JFK Airport on or about June 13, 2008.

26. Witness #1 further stated, in sum and substance and in part, that SHEHADEH attempted to join the United States military as part of his jihad. SHEHADEH informed Witness #1 that he hoped to be deployed to Iraq. At the time he was applying to join the military, SHEHADEH told Witness #1 that, when he arrived in Iraq, he intended to commit "treason" and fight United States soldiers. SHEHADEH explained that joining the military was an easier way to join the jihad because the military would provide him with training, transportation, and a weapon.

27. Witness #2 also went to elementary school with SHEHADEH, but because of an age difference, they were not friends at that time. Witness #2 became close friends with SHEHADEH in 2008, when he attended Islamic lectures with SHEHADEH and Witness #1 on a regular basis.

28. Witness #2 stated, in sum and substance and in part, that both before SHEHADEH traveled to Pakistan and after he returned, SHEHADEH believed it was the duty of all Muslims to fight jihad in areas where Muslims were at war with non-Muslims. SHEHADEH discussed traveling to Pakistan to wage jihad with

Witness #2. On one occasion before SHEHADEH left for Pakistan, Witness #2 and SHEHADEH were discussing one of Anwar al-Awlaki's lectures. During this discussion, Witness #2 expressed his support for violent jihad. SHEHADEH then revealed that he intended to travel to Pakistan to join the jihad there. SHEHADEH invited Witness #2 to join him. SHEHADEH stated that he knew where to go and whom to contact to join a jihadist group once they arrived in Pakistan. Witness #2 informed SHEHADEH that he would need time to make the proper arrangements before he could leave to Pakistan, but SHEHADEH told Witness #2 that he (SHEHADEH) could not delay his trip. Shortly thereafter, Witness #2 declined SHEHADEH's invitation.

29. Witness #2 further stated that he understood that SHEHADEH intended to join the United States military for the purpose of waging jihad. When Witness #2 and SHEHADEH discussed SHEHADEH's enlistment, SHEHADEH explained to Witness #2 that "war is deception." SHEHADEH also discussed a hadith²⁷ that focused on the use of deception during jihad.

30. On or about April 14, 2009, SHEHADEH purchased a one-way ticket with cash to travel the same day from JFK Airport to Honolulu, Hawaii, via Phoenix, Arizona, aboard US Airways

²⁷ The hadith are narrations concerning the words and deeds of the Islamic prophet Muhammad.

flights 15 and 20. SHEHADEH arrived in Honolulu and subsequently traveled to Maui.

31. On or about June 6, 2009, SHEHADEH purchased a ticket to travel on June 15, 2009, from Maui to Dubai, via Denver, Colorado, and Washington, D.C. aboard United Airlines flights 92, 316 and 976. On or about June 14, 2009, FBI agents met with SHEHADEH. SHEHADEH advised the agents that he had purchased tickets to fly the following day. SHEHADEH stated that his ultimate destination was Mogadishu, Somalia, and that he had also purchased tickets to fly from Dubai to Mogadishu, via Djibouti. The agents advised SHEHADEH that he was placed on the "No Fly" list and would not be permitted to board his flight. The following day, SHEHADEH went to the airport and was informed that he would not be allowed to board his flight.

32. On or about October 14, 2009, SHEHADEH visited the SWAT Gun Club in Honolulu, Hawaii. While at the club, SHEHADEH paid \$115 to fire various firearms. According to a store employee, SHEHADEH fired the following firearms, among others: an M-16 assault rifle, a .45 caliber semi automatic pistol, a 9 mm semi automatic pistol, a 12-gauge pump action shotgun, and a .44 caliber Magnum revolver.

33. As part of this investigation, FBI agents met with Witness #3, who associated with SHEHADEH in Hawaii. Witness #3 stated, in sum and substance and in part, that in approximately

October 2009, SHEHADEH tried to convince Witness #3 to travel to Yemen to learn Arabic "on the battlefield." SHEHADEH further instructed Witness #3 to place pornography and music on his computer before he traveled to avoid suspicion in the event airport security searched his computer.

34. On or about February 16, 2010, SHEHADEH met with FBI agents in an attempt to convince them that he should be removed from the "No Fly" list. SHEHADEH made self serving statements to the agents that he was not interested in jihad. SHEHADEH offered to provide information to the FBI agents in exchange for getting off the "No Fly" list. As part of a ruse, the agents led SHEHADEH to believe that he was an informant for the FBI. The agents explained to SHEHADEH that they could not make him any promises, but that they would listen to what he had to say. The agents explained to SHEHADEH that they did not control the "No Fly" list.

35. On or about April 2, 2010, SHEHADEH met with FBI agents and began describing, in general terms, the radicalization process for young Muslims in the United States. During this discussion, SHEHADEH stated, "take my story for example." He then explained how he had previously believed he needed to "get back" at the United States and that if he died as a martyr in Pakistan he would have received 72 virgins as a reward. SHEHADEH stated that if he had been admitted to Pakistan, he "100 percent"

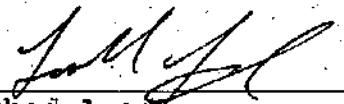
would have traveled to the North of Pakistan because he wanted to see the different jihadist groups, including the Taliban. SHEHADEH stated that, without a doubt, he would have joined the Taliban. Once with a jihadist group, SHEHADEH expected to receive training in "guerrilla warfare" and "bomb-making."

36. On or about April 9, 2010, SHEHADEH met with FBI agents. During this meeting, SHEHADEH stated that he considered al-Qaeda and the Taliban to be "one and the same." SHEHADEH stated that his mind set in 2008 was to do whatever was necessary to drive the United States out of Muslim lands.

37. For the foregoing reasons, there is probable cause to believe that SHEHADEH did knowingly and willfully make materially false, fictitious and fraudulent statements and representations, in a matter involving international and domestic terrorism, in violation of Title 18, United States Code, Section 1001(a)(2): (a) when he stated on June 13, 2008, that he was traveling to Pakistan to attend a madrasa; (b) when he stated on July 16, 2008, that he had traveled to Pakistan to attend an Islamic university and a wedding; (c) when he stated on February 10, 2009, that he had traveled to Pakistan to attend a madrasa; (d) when he stated on February 10, 2009, that he did not travel to Pakistan to receive military-type training, or to join a jihadist terrorist group; and (e) when he stated on February 10,

2009, that he had never told anyone that he intended to receive training, wage jihad or fight in Afghanistan.

WHEREFORE, your deponent respectfully requests that the defendant ABDEL HAMEED SHEHADEH, also known as "Abul-Qasim," "Abul-Qasim Ibn Abu Muhammad," "Sunnah101" and "Abu Baheera," be dealt with according to law and, given the risk of flight, that the arrest warrant and affidavit be sealed until the defendant has been arrested.


Farbod Azad
Special Agent
Federal Bureau of Investigation

Sworn to before me this
21st day of October, 2010

HONORABLE VIKTOR V. POHORELSKY
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK